

YUULU?IL?ATH FIRST NATION GOVERNMENT

**RESPONSIBLE ACCESS TO
INFORMATION AMENDMENT ACT**

YFNS 57/2017



OFFICIAL CONSOLIDATION – CURRENT TO JUNE 16, 2017

This is a certified true copy of the consolidated Responsible Access to Information Amendment Act YFNS 57/2017, Current to June 16, 2017

Date:

June 16, 2017

Signed:



Law Clerk

**YUULU?IL?ATH FIRST NATION GOVERNMENT
RESPONSIBLE ACCESS TO INFORMATION AMENDMENT ACT YFNS 57/2017
OFFICIAL CONSOLIDATION – CURRENT TO JUNE 16, 2017**

TABLE OF CONTENTS

PART 1 - INTRODUCTORY PROVISIONS.....5

 Short title.....5

 Executive oversight.....5

 Definitions.....5

PART 2 - AMENDMENTS7

 FOIPPA amendments.....7

 Elections Act amendments.....7

 Interpretation Act amendments.....8

PART 3 - GENERAL PROVISIONS9

 Commencement.....9

**YUULU?IL?ATH FIRST NATION GOVERNMENT
RESPONSIBLE ACCESS TO INFORMATION AMENDMENT ACT YFNS 57/2017
OFFICIAL CONSOLIDATION – CURRENT TO JUNE 16, 2017**

PART 1 - INTRODUCTORY PROVISIONS

Short title

- 1.1 This Act may be cited as the Responsible Access to Information Amendment Act.

Executive oversight

- 1.2 The member of the Executive holding the community services portfolio is responsible for the executive oversight of this Act.

Definitions

- 1.3 In this Act, unless the context requires otherwise or is otherwise indicated,

“Elections Act” means the Elections Act YFNS 42/2015;

“FOIPPA” means the Freedom of Information and Protection of Privacy Act YFNS 11/2011;

“Interpretation Act” means the Interpretation Act YFNS 17/2011.

**YUULU?IL?ATH FIRST NATION GOVERNMENT
RESPONSIBLE ACCESS TO INFORMATION AMENDMENT ACT YFNS 57/2017
OFFICIAL CONSOLIDATION – CURRENT TO JUNE 16, 2017**

PART 2 - AMENDMENTS

FOIPPA amendments

2.1 FOIPPA is amended by adding the following sections immediately following section 2.10:

“Power to disregard a request

2.11 The director may disregard a request under section 2.2 that

- (a) would unreasonably interfere with the operations of a Yuulu?i?ath institution because of the repetitious or broad nature of the request, or
- (b) is frivolous or vexatious.

Power to require payment upfront

- 2.12 (a) The director may require the applicant to pay a prescribed portion of the estimated fee for a request under section 2.2 at the prescribed times.
- (b) The director must deliver in accordance with Yuulu?i?ath law notice of any payment required under subsection (a) to the applicant.
- (c) The time limit under section 2.4 or 2.7, as applicable, stops running between the date a notice is delivered under subsection (b) and the date the required payment is made.
- (c) For certainty, if following the delivery of a response under section 2.4, the director determines that the amount collected under this section, if any, is greater than the prescribed fee for the request, the Yuulu?i?ath government must refund the applicant the amount of the overpayment.”

Elections Act amendments

2.2 The Elections Act is amended in section 4.1(b) by

- (i) striking “or” at the end of paragraph (vi),
- (ii) striking “.” at the end of paragraph (vii) and substituting “, or”, and
- (iii) adding the following paragraph immediately following paragraph (vii):
“(viii) is not in good standing with a Yuulu?i?ath institution.”.

Interpretation Act amendments

2.3 The Interpretation Act is amended in section 3.3 by adding the following definition immediately following the definition of “Foreshore Agreement”:

““good standing with a Yuulu?il?ath institution” means an individual that

- (a) does not owe any money to the Yuulu?il?ath institution or, if they do owe money, he or she has entered into a written agreement with the Yuulu?il?ath institution for the repayment of that money and is not delinquent in any payments under that agreement, and
- (b) has no lawsuit against the Yuulu?il?ath institution that has not been concluded, settled or dismissed;”.

PART 3 - GENERAL PROVISIONS

Commencement

- 3.1 This Act is deemed to have come into force on January 1, 2017 and is retroactive to the extent necessary to give it effect on and after that date.

**YUULU?IL?ATH FIRST NATION GOVERNMENT
RESPONSIBLE ACCESS TO INFORMATION AMENDMENT ACT YFNS 57/2017
OFFICIAL CONSOLIDATION – CURRENT TO JUNE 16, 2017**

LEGISLATIVE HISTORY

Responsible Access to Information Amendment Act YFNS 57/2017 enacted June 12, 2017

Amendments

| Section | Amendment | In Force |
|---------|---------------------|---------------|
| 4.1(b) | YFNS 57/2017, s.2.2 | June 12, 2017 |
| 3.3 | YFNO 14/2017 | June 16, 2017 |

Acts:

YFNS 57/2017 Responsible Access to Information Amendment Act enacted June 12, 2017

Regulations:

Orders:

YFNO 14/2017 Law Clerk Order re Responsible Access to Information Amendment Act
YFNS 57/2017

